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Attorneys for Individual and Representative
Plaintiffs Clarke and Rebecca Wixon and
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[Additional counsel appear on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Clarke and Rebecca Wixon and Norman
and Barbara Wixon, derivatively and on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

Wyndham Resort Development Corp. (f/k/a
Trendwest Resorts, Inc.), Gene Hensley, David
Herrick, John Henley, Peggy Fry and John
McConnell, and nominally, WorldMark, The
Club,

Defendants.

Case No. C 07-02361 JSW (BZ)

STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME TO FILE
STATEMENT OF EXPENSES AND
OBJECTIONS

CLASS AND DERIVATIVE ACTION

1 WHEREAS the parties currently have scheduled a mediation session before the Honorable
2 William J. Cahill (Ret.) of JAMS for November 11, 2009, pending orders on the motions for class
3 certification and regarding Plaintiffs' adequacy as Rule 23.1 representatives; and

4 WHEREAS Plaintiffs Clarke and Rebecca Wixon and Norman and Barbara Wixon
5 (collectively, "Plaintiffs") and Defendant Wyndham Resort Development Corporation ("Wyndham")
6 have conferred and agreed, subject to the approval of the Court, to defer the filing of Plaintiffs'
7 statement of expenses and any objections by Wyndham thereto, described in the Court's September 21,
8 2009 order (Dkt. No. 417), pending the outcome of the mediation;

9 IT IS HEREBY STIPULATED by and between Plaintiffs and Wyndham, by and through their
10 respective counsel, that Plaintiffs' statement of expenses shall be filed no later than 21 days after the
11 conclusion of the mediation process and that any objections by Wyndham shall be filed no later than 10
12 days after the filing of Plaintiffs' statement.

13 Dated: October 7, 2009

14 Respectfully submitted,

15 **GIRARD GIBBS LLP**

16 By: /s/ Jonathan K. Levine
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*Attorneys for Individual and Representative Plaintiffs
Clarke and Rebecca Wixon and Norman and Barbara
Wixon*

1 Dated: October 7, 2009

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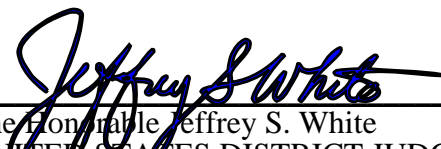
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17 *Attorneys for Defendant Wyndham Resort*
18 *Development Corporation*

ORDER

19 IT IS SO ORDERED.

20
21 DATED: October 8, 2009

22 
23 The Honorable Jeffrey S. White
24 UNITED STATES DISTRICT JUDGE
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